

Exhibit 23

AFFIDAVIT OF ELIZABETH TEMKIN

I, Elizabeth Temkin, being of full age, on my oath, deposes and says:

1. My name is Elizabeth Temkin. I live in Ann Arbor, Michigan, and am a registered voter there. I am currently a third-year law student at the University of Michigan.

2. On November 4, 2020, I served as a credentialed non-partisan challenger with credentials from the Lawyers' Committee for Civil Rights at the City of Detroit Absent Voter Counting Boards (AVCB), in the TCF Center, 1 Washington Boulevard, Detroit, Michigan, 48226. I served as a non-partisan challenger on November 4th from approximately noon through 7:00 p.m.

3. I heard about the need for non-partisan poll challengers at the Detroit AVCBs from an email sent by Brain Remlinger, another University of Michigan law student, to our student listserv on the morning of November 4th.

4. When I entered the AVCBs around noon, the room was quite full of people, with at least equal numbers of Republican and Democratic challengers. At the first AVCB table I was observing, the Republican and Democratic challengers were both standing immediately behind the election inspector, quite close to the table. There was also a second Republican challenger, standing immediately behind the first one. The election inspectors repeatedly asked the second Republican challenger to move back because they were only permitted one challenger at each of the AVCB tables.

5. At each of the AVCB tables there was a visible computer monitor, that faced outward, that was easy to see. At all tables I observed, the monitor showed a list of the ballots already scanned, and when the election inspector scanned a ballot, the monitor would show the relevant identifying information. The election inspector would read out the number on the ballot,

a number corresponding to the computer system, and the name and address of the voter. You would see this information that was read out loud as it came up on the monitors. If any notes had to be input into the system on any given ballot, those notes would also show up on the monitor. I never observed anyone being told that they were not allowed to see the monitor and I, and the other challengers near me, were fully able to see the monitor at our AVCB table. One issue that I observed was when the ballot numbers did not match, which I did observe occurring periodically. Each time this occurred, there were Republican challengers present who noted it.

6. There were also a row of computers in the middle of the room. From what I saw, there would be an elections official seated at the computer and there would be a Republican and a Democratic challenger either next to them or directly behind them looking at the monitor of those computers as well. I was able to observe this as the Republican challengers were wearing badges that were quite long white strips of paper or cardstock, and the Democratic challengers had on green stickers. I could see people with each of the identifying characteristics at each of the screens with the elections workers.

7. I was at the table marked ICC#4, AV#17 for around three hours, from approximately 1:00 p.m. to 4:00 p.m. The Republican challenger at this table asked the elections official questions that I understood to be inappropriate, because we were not supposed to be talking to the people counting other than to lodge objections, and if there were questions, we were supposed to ask them to one of the elections official supervisors. While at this same table, a man who I took to be a supervisor of the Republican challengers, told the Republican challenger at the table with me to "write as much stuff down as possible, because we need to get as many thrown out as we can." I understood him to be a supervisor of the Republican challengers because I observed when other Republican challengers at AVCB tables had an issue,

they would raise their hand, and he would go over and speak with them. He was wearing the long white badge around his neck that was the credential for the Republican challengers. This man was white, over 6 feet tall, of average build, dressed in a suit, had glasses, and appeared to be in his 40s or 50s. He had paper slips that he was providing to other Republican challengers for them to take notes.

8. Sometime between approximately 2:30–3:00 p.m., word got around that a lawsuit had been filed. At 3:12 p.m., this same man mentioned in the previous paragraph told the Republican challenger at the table I was stationed at that she should be challenging every single ballot because of the allegations in the lawsuit. The Republican challenger at my table communicated that she was challenging every ballot to the election official supervisor. Shortly thereafter, the lawyer who had trained the non-partisan challengers earlier in the day, came around to tell me that I should be objecting to each of the Republican's challenges because they were being made in bad faith in order to delay or obstruct the process, as there was nothing in the challenge particular to each ballot. From that point on, I would say aloud for each ballot, "As a non-partisan challenger, I object to the challenge made to this ballot as I believe it was made in bad faith. I am here to make sure every vote is counted, and there is a Republican challenger present at this table. I believe this challenge is being made to delay, obstruct, or harass the counting process." I informed the election inspectors at my table and the supervisor in our area that I was going to be objecting to each Republican challenge in this way and asked that it please be noted in the records somehow. After informing the workers of this, I then said that same statement aloud for each of the ballots being challenged on these grounds, over and over again.

9. In the mid-afternoon, the room was quite full and indeed there more challengers from each party than there were tables in the room when I understood that additional challengers

were not being let into the room. I had another law school classmate that had arrived to be a non-partisan challengers who was locked out at this time who I was in communication with, as well as a number of other friends, who were not Republican party challengers, who I later learned were also not able to enter the room as credential challengers. Additional challengers were not being permitted into the room unless someone with the same type of credentials left the room. There was a large crowd gathered outside the room and a larger police presence than there previously had been by the door, monitoring who was coming in. It was my understanding that there was a cap on how many people could be in the room. While this was occurring outside the room in the mid- to late-afternoon, nothing had changed within the room in terms of the party challengers; there still remained a 1:1 ratio of Republican to Democratic challengers, with more party challengers than there were tables actually in the room.

10. The crowd outside began banging on the doors and the glass walls, which made people frightened. When this initially began, some of the workers started to scatter from near the doorway, but their supervisor directed them that even though it was upsetting, they must not leave the table and the ballots. You could feel the room shaking while the crowd outside was banging on the glass walls. It seemed like a sizable crowd outside the room, but in the building, and there were rumors inside the room that there was a larger growing crowd outside the building. The table I was observing, had finished a batch, and so took a few minute break at this point. Both workers and other challengers—from what I overheard and observed—and I were afraid that the door was going to be broken down.

11. At multiple points throughout the day, I observed challengers being removed by the police. This occurred when the challenger became belligerent in a way that was impeding

the process or where they challenger refused to wear their mask for COVID-19 precautions properly (or, indeed, at all).

12. I observed the ballot duplication process related to the military and overseas ballots later in the day, approximately shortly after 5:00 p.m. I observed this process at ICC#3, AV#14 and ICC#1, AV#2. For this process, one election official would open the ballot and read out the number of the ballot. The next election official had a blank ballot and would announce the number of the duplicate ballot. There was one Republican challenger and one Democratic challenger standing behind the election officials. The Republican challenger was taking notes on this process per ballot, and when asked the poll workers to show him the ballot, the worker then showed the challengers both the original ballot and the duplicated ballot. This was an extremely open process, and I observed no efforts by any workers to hide anything as related to this process. The elections officials were very much listening to the challengers and repeating ballot numbers whenever asked. There were between 4 and 6 poll workers per table, all confirming that the information was correct. I observed ample confirmation of identity and ballot numbers. There was a lot of care taken making sure everything was accurate.

13. I understood that initially the military and overseas ballots were brought into the center of the room, next to a raised platform. This center area appeared to be the distribution area for the room. Once the elections workers there sorted them, they were brought out to each of the AVCB tables throughout the room. This center are, where ballots were distributed from, was located in full view of the press, where there were cameras recording.

14. At certain points during the day, certain election inspectors were adamant that they wanted more room for COVID-19 precautions. I observed Republican challengers not respecting repeated requests to move back. I would say the challengers were never a full six feet

away from the election inspectors; we were a few feet away, and able to hear. If a challenger ever could not hear and asked for something to be repeated, the elections inspector would repeat the ballot number or the identifying information.

I swear under penalty of perjury that the foregoing is true and correct. Executed on November 11, 2020

Elizabeth Temkin
Elizabeth Temkin

Sworn to before me before me this 11 day of November, 2020 at 1:21pm.

Julie M. Aust Julie M. Aust
Notary Public

My Commission expires on: 2/10/2026.

JULIE MARIE AUST
Notary Public, State of Michigan
County of Washtenaw
My Commission Expires 02-10-2026
Acting in the County of Washtenaw